

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE

NIKKI BOLLINGER GRAE, Individually and )	Civil Action No. 3:16-cv-02267
on Behalf of All Others Similarly Situated, )	
Plaintiff, )	Honorable Aleta A. Trauger
vs. )	PLAINTIFF’S MOTION TO EXCLUDE
CORRECTIONS CORPORATION OF )	EXPERT TESTIMONY OF JUSTIN
AMERICA, et al., )	MARLOWE
Defendants. )	
_____ )	

PLEASE TAKE NOTICE that pursuant to Federal Rules of Evidence 402, 403, 702 and 704, *Daubert v. Merrell Dow Pharm., Inc.*, 509 U.S. 579 (1993); *Kumho Tire Co. v. Carmichael*, 526 U.S. 137 (1999), Federal Rules of Civil Procedure Rule 26(a) and 37, and applicable authority, Plaintiff<sup>1</sup> on behalf of itself and the Class of investors who purchased CCA securities between February 27, 2012 and August 17, 2016, inclusive, respectfully moves this Court for an order excluding the expert testimony and opinions of Justin Marlowe. This Motion is based on the record in this action, the concurrently filed Memorandum of Law in support of the Motion, the Declaration

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<sup>1</sup> Plaintiff<sup>1</sup> is Lead Plaintiff and Class Representative Amalgamated Bank, as Trustee for the LongView Collective Investment Fund. “Defendants” are Corrections Corporation of America (“CCA”) and “Individual Defendants” Damon T. Hininger (“Hininger”), David M. Garfinkle (“Garfinkle”), Todd Mullenger (“Mullenger”) and Harley G. Lappin (“Lappin”). Following the filing of this action, Defendants rebranded CCA and now refer to it as CoreCivic.

of Willow E. Radcliffe and exhibits thereto, and such other evidence and argument as the Court may consider.

DATED: November 20, 2020

ROBBINS GELLER RUDMAN & DOWD LLP  
DENNIS J. HERMAN  
WILLOW E. RADCLIFFE  
KENNETH J. BLACK

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s/ Willow E. Radcliffe  
WILLOW E. RADCLIFFE

Post Montgomery Center  
One Montgomery Street, Suite 1800  
San Francisco, CA 94104  
Telephone: 415/288-4545  
415/288-4534 (fax)  
dennish@rgrdlaw.com  
willowr@rgrdlaw.com  
kennvb@rgrdlaw.com

ROBBINS GELLER RUDMAN & DOWD LLP  
CHRISTOPHER M. WOOD, #032977  
CHRISTOPHER H. LYONS, #034853  
414 Union Street, Suite 900  
Nashville, TN 37219  
Telephone: 800/449-4900  
615/252-3798 (fax)  
cwood@rgrdlaw.com  
clyons@rgrdlaw.com

ROBBINS GELLER RUDMAN & DOWD LLP  
JASON A. FORGE  
655 West Broadway, Suite 1900  
San Diego, CA 92101  
Telephone: 619/231-1058  
619/231-7423 (fax)  
iforge@rgrdlaw.com

Lead Counsel for Plaintiff

BARRETT JOHNSTON MARTIN  
& GARRISON, LLC  
JERRY E. MARTIN, #20193  
Bank of America Plaza  
414 Union Street, Suite 900  
Nashville, TN 37219  
Telephone: 615/244-2202  
615/252-3798 (fax)

Local Counsel

CERTIFICATE OF SERVICE

I hereby certify under penalty of perjury that on November 20, 2020, I authorized the electronic filing of the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses on the attached Electronic Mail Notice List, and I hereby certify that I caused the mailing of the foregoing via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

s/ Willow E. Radcliffe  
WILLOW E. RADCLIFFE

ROBBINS GELLER RUDMAN  
& DOWD LLP  
Post Montgomery Center  
One Montgomery Street, Suite 1800  
San Francisco, CA 94104  
Telephone: 415/288-4545  
415/288-4534 (fax)  
E-mail: willowr@rgrdlaw.com

**Mailing Information for a Case 3:16-cv-02267 Grae v. Corrections Corporation of America et al****Electronic Mail Notice List**

The following are those who are currently on the list to receive e-mail notices for this case.

- **Kenneth J. Black**  
kennyb@rgrdlaw.com
- **Paul Kent Bramlett**  
pknashlaw@aol.com
- **Robert P. Bramlett**  
robert@bramlettlawoffices.com
- **Christopher T. Cain**  
cain@scottandcain.com, ambrose@scottandcain.com
- **Patrick V. Dahlstrom**  
pdahlstrom@pomlaw.com
- **Jason A. Forge**  
jforge@rgrdlaw.com
- **Brian T. Glennon**  
brian.glennon@lw.com
- **Michael Goldberg**  
michael@goldberglawpc.com
- **Marc Gorrie**  
mgorrie@pomlaw.com
- **Meryn C.N. Grant**  
Meryn.Grant@lw.com
- **Dennis J. Herman**  
dherman@rgrdlaw.com, e\_file\_sd@rgrdlaw.com
- **James A. Holifield , Jr**  
aholifield@holifieldlaw.com
- **J. Alexander Hood , II**  
ahood@pomlaw.com
- **Jeremy A. Lieberman**  
jalieberman@pomlaw.com, disaacson@pomlaw.com, lpvega@pomlaw.com
- **Christopher Hamp Lyons**  
clyons@rgrdlaw.com, KennyB@rgrdlaw.com, e\_file\_sd@rgrdlaw.com
- **Jerry E. Martin**  
jmartin@barrettjohnston.com, adonovan@barrettjohnston.com, eseaborn@barrettjohnston.com, jmartin@rgrdlaw.com
- **Milton S. McGee , III**  
tmcgee@rwjplc.com, dgibby@rwjplc.com
- **Faraz Mohammadi**  
faraz.mohammadi@lw.com
- **Willow E. Radcliffe**  
willowr@rgrdlaw.com, WillowR@ecf.courtdrive.com
- **Steven Allen Riley**  
sriley@rwjplc.com, dgibby@rwjplc.com
- **Brian Schall**  
brian@goldberglawpc.com
- **David J. Schindler**  
david.schindler@lw.com
- **Sarah A. Tomkowiak**  
sarah.tomkowiak@lw.com

- **Morgan E. Whitworth**  
morgan.whitworth@lw.com,morgan-whitworth-8044@ecf.pacerpro.com
- **Christopher M. Wood**  
cwood@rgrdlaw.com,smorris@rgrdlaw.com,CWood@ecf.courtdrive.com,willowr@rgrdlaw.com,e\_file\_sd@rgrdlaw.com,smorris@ecf.courtdrive.com

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